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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL GARROW,

Plaintiff,

vs.

BRIAN E. WILLIAMS, SR., WARDEN OF
SOUTHERN DESERT CORRECTIONAL CENTER,

Defendant.

Case No. 2:14-cv-2143

**MOTION TO EXTEND
TIME TO FILE RESPONSE
TO STATE'S MOTION TO
DISMISS**

COMES NOW Lisa Rasmussen, counsel for the Petitioner, and hereby respectfully requests an extension of time of one week to file a Response to the State's Motion to Dismiss. This request is based upon the following:

1. This Court issued an order on November 13, 2015, directing the undersigned to file a Response to the State's Motion to Dismiss.

2. The State's Motion to Dismiss raises the issue that there are mixed claims in this federal petition. This puts Mr. Garrow in a position of needing to decide if he wants to abandon the unexhausted claims (those admittedly unexhausted) or if he wants to request that the exhausted claims be stayed and request permission from this Court to return to state court to exhaust the unexhausted claims and then return to this Court (a request that this Court would still need to approve). Since this is a decision that should be made by Mr. Garrow, not the

undersigned, the undersigned prefers to hear from him before she can respond appropriately.

3. The undersigned did not realize that an order and deadline had been generated in this case until a couple of days ago. The undersigned has reached out to Mr. Garrow through his mother, asking how he would like to proceed. She has not yet heard back from him and would like to give him an opportunity to weigh in. Part of the decision he needs to make is that the undersigned will continue to work on this federal petition as ordered by this Court, but he will need to hire someone to file a successor petition in state court if that is his preference. The undersigned cannot make that decision for him.

Mr. Garrow has been paroled, but he has not provided contact information to the undersigned, so the undersigned is limited to contacting him through his mother, Debbie Garrow. A copy of this Motion will be sent to his mother, via email, on today's date.

Accordingly, it is respectfully requested that this Court grant the undersigned a one week extension of time to Respond to the State's Motion to Dismiss the petition. This request is timely made and the undersigned will comply with each directive from this Court in seeing this matter to completion, as a courtesy to both the Court and to Mr. Garrow.

Dated this 11th Day of December, 2015.

Law office of Lisa Rasmussen,

/s/ Lisa A. Rasmussen

LISA A. RASMUSSEN, ESQ.

NEVADA BAR NUMBER 7491

IT IS SO ORDERED:



RICHARD F. BOULWARE, II

United States District Judge

DATED this 15th day of December, 2015.